

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA,
EASTERN DIVISION

JENNIFER MARIE COTTON, etc. et al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION
NUMBER		
vs.)	
)	CV-06-BE-1486-E
BETACOM, INC., et al.,)	
)	
Defendants.)	

CONSOLIDATED WITH

CHARLES R. WHEELER,)	
)	
Plaintiff,)	
)	CIVIL ACTION
NUMBER		
vs.)	
)	CV-06-BE-2055-E
CINGULAR WIRELESS, II, et al.,)	
)	
Defendants.)	

JOINT STATUS REPORT OF PARTIES

Pursuant to this Court's Orders of July 26, 2007 and August 30, 2007,
all parties to the above styled action, by and through the undersigned
counsel, submit this Joint Status Report as follows:

Discovery Plan and Scheduling of Anticipated Depositions

The parties anticipate that a number of depositions will be taken in this case from both factual and expert witnesses. The following schedule has been agreed to by counsel all parties; however, some of the depositions have not been scheduled because the scheduling of such depositions is outside the control of the parties or because such depositions are, to some degree, contingent on other testimony to be taken in this case. Counsel for all parties will continue to work diligently to schedule the remaining depositions. The parties will report their progress to this Court as required by this Court's Orders. Subject to the continued availability of the witnesses, the current schedule is as follows:

- September 19: Deposition of Don Stoehr and Karen Manfre-Roth (Employees of the defendant Cingular) in Birmingham, Alabama
- September 20 or 21: Deposition of James Coleman (Expert Witness retained by the Plaintiffs) at the law offices of Wiggins, Childs, Quinn & Pantazis.
- October 11 & 12: Depositions Joe Williams, Jeremy Porch, Gordon Lyman and Philip Cassel (Employees of the defendant Westower) in Jackson, Mississippi.

- October 17-19: Depositions of J.D. Harris, Chip Earnest, Terry Newberry and Sam Schifanella (Employees of the defendant Cingular) in Birmingham, Alabama.

The following depositions are anticipated but have not been scheduled:

- Depositions of designated representatives of defendants Cingular and WestTower; The plaintiffs wish to complete the depositions of the previously identified fact witness employees before deposing corporate representatives so as to narrow the issues upon which representative testimony will be necessary.
- Deposition of Damon Depew in Boca Raton, Florida.
- Gabe Gruzinski¹, Myles O'Reilly, Rick Arrigo and Randy Bowe (employees of Betacom) will be scheduled through Betacom's counsel.
- Rod Francioni (former employee of Cingular) will be taken in Metairie, Louisiana.
- Defendants Experts, who have been or will be disclosed today
- Dr. Clark (Expert Witness Retained by the Plaintiff) -will be taken in Opelika, Alabama

¹ The plaintiffs believe that testimony and other evidence may show that Mr. Guzinski was under the control of the defendant Cingular during times relevant to the instant actions.

- The plaintiff Randy Wheeler's Treating Physicians

It may also be necessary to depose the following persons and/or entities:

- SBA Network Services
- Foresite Services
- Paul Beasley an employee of Foresite Services
- Lehigh Group the manufacturer of the subject short-line rope

Discovery Disputes

With its August 30, 2007 Order, this Court directed counsel for the *Cotton* plaintiffs to meet and confer with counsel for Cingular and counsel for ALT concerning the plaintiffs' pending motions to compel. Counsel for the *Cotton* plaintiffs and counsel for Cingular have agreed to meet on Friday September 7, 2007. Counsel for the *Cotton* Plaintiffs and counsel of ALT have agreed to meet on August 7, 2007.

Respectfully submitted,

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